



Driving progress
through partnership

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July 28, 2020

VIA ECF

Honorable Judge Vernon S. Broderick
United States District Court Judge
40 Foley Square, Room 415
New York, NY 10007

APPLICATION GRANTED
SO ORDERED 
VERNON S. BRODERICK
U.S.D.J. 7/29/2020

The post-discovery status conference scheduled for
September 18, 2020 is adjourned to November 19, 2020
at 11:00 am.

Re: *Forte v. McNellis et al.*, Case No. 1:16-cv-00560-VSB (S.D.N.Y)

Dear Judge Broderick:

We represent Plaintiff Daniel Forte as limited pro bono counsel in the above-referenced matter pursuant to Your Honor's Order dated November 30, 2018. (ECF No. 124) Pursuant to Rule I.G. of Your Honor's Individual Rules & Practice in Civil Cases, we write on behalf of all parties to respectfully request an extension of the deadline to complete fact discovery from September 1, 2020, to November 1, 2020, and an adjournment of the status conference scheduled for September 18, 2020.

The parties previously requested and Your Honor granted extensions of the deadline to complete fact discovery in February, March, and April 2020. (*See* ECF Nos. 156, 163, 165) The previous two requests for extension were made in light of safety concerns and travel and workplace restrictions arising from the COVID-19 pandemic. The parties had hoped that the most recent extension would provide sufficient time for the widespread workplace and travel restrictions to subside, enabling the depositions of the defendant officers, which is the last component of discovery that remains outstanding, to be completed in-person. Recognizing that it is a best uncertain as to when conditions will permit in-person examinations, the parties have agreed to complete the outstanding depositions by videoconference.

In order to provide time for coordination among all parties and all deponents, one of whom is retired and resides out-of-state, to appear via videoconference, the parties respectfully request a further extension of the deadline to complete fact discovery to November 1, 2020 and an adjournment of the status conference scheduled for September 18, 2020 to a convenient date and time in November 2020.

We thank the Court for its attention to this matter.

Respectfully submitted,

/s/ Jonathan P. Gordon
Jonathan P. Gordon

cc: By ECF
Counsel of Record